

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 920

Amending Civil Rule 51(a)
concerning instructing the jury.

IT IS ORDERED:

Civil Rule 51(a) is amended to provide:

(a) Requested Instructions - Objections. At the close of the evidence or at such earlier time [DURING THE TRIAL] as the court reasonably directs, any party may file written requests that the court give the jury specific instructions [INSTRUCT THE JURY ON THE LAW SET FORTH IN THE REQUESTS]. The court shall inform counsel of the final form of jury instructions [ITS PROPOSED ACTION UPON THE REQUESTS] prior to their arguments to the jury [, BUT THE COURT SHALL INSTRUCT THE JURY AFTER THE ARGUMENTS ARE COMPLETED]. Following the close of the evidence, before or after the arguments of counsel, the court shall instruct the jury. Additionally, the court may give the jury such instructions as it deems necessary at any stage of the trial. No party may assign as error the giving or the failure to give an instruction unless the party [HE] objects thereto before the jury retires to consider its verdict, stating distinctly the matter to which the party [HE] objects and the grounds of the [HIS] objection. Opportunity must [SHALL] be given to make the objection out of the hearing of the jury, by excusing the jury or hearing objections in chambers.

DATED: August 18, 1988

EFFECTIVE DATE: January 15, 1989

Chief Justice Matthews

Justice Rabinowitz

Justice Burke

Justice Compton

Justice Moore